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Republic of the Philippines
SANGGUNIANG PANLUNGSOD
Pasig City

Ordinance No. 13
Series of 2014

AN ORDINANCE PRESCRIBING THE GUIDELINES IN THE IMPLEMENTATION OF PRE-EMPTIVE OR FORCED EVACUATION WHEN DISASTER OR EMERGENCY HAS BEEN DECLARED AND DANGER OF LOSS OF LIVES AND PROPERTIES IS IMMINENT AND PROVIDING PENALTIES FOR VIOLATORS AND FOR OTHER PURPOSES.

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WHEREAS, it has been a national policy under Section 2 (a) of R.A. 10121, otherwise known as the "Philippine Disaster Risk Reduction and Management Act of 2010 to uphold the people's constitutional rights to life and property by addressing the root cause of vulnerabilities to disaster, strengthening the country's institutional capacity for disaster risk reduction and management and building the resilience of local communities including climate change impacts;

WHEREAS, the Local Government Units (LGU) are authorized under Section 26 of the Local Government Code of 1991, under the General Welfare Clause, among others, to exercise the powers, appropriate, or incidental for its efficient and effective governance and those which are essential to the promotion of general welfare;

WHEREAS, Pasig City is very vulnerable to natural disasters and calamities specially flood and natural calamities since it is located at a low-lying area and serves as a catch basin of other eastern towns of Rizal;

WHEREAS, all Local chief Executives are mandates under the Local Government Code to such emergency measures as may be necessary prior, during and in the aftermath of human-induced and natural disasters and calamities.

NOW, THEREFORE, BE IT ENACTED BY THE SANGGUNIANG PANLUNGSOD OF PASIG CITY, IN REGULAR SESSION ASSEMBLED, THAT:

SECTION 1. Declaration of Policy – It is declared policy of the City Government of Pasig to protect the lives and properties of every individual resident at all times and possible mitigate the cause of human-induced natural disaster and calamities that may occur within its jurisdiction.

SECTION 2. Definition of Terms – As used in this Ordinance:

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- a. **“Disaster”** - a serious disruption of the functioning community or society involving widespread human, material, economic or environmental losses and impacts, which the affected community or society cannot cope using its resources. It is often described as a result of combination of the exposure to hazard, vulnerability and insufficient capacity or reduce or cope with the negative consequences. Disaster impacts may include loss of life, injury, disease and other negative effects on human, physical, mental or social well being as well as damage to properties, destruction or assets, loss of services and environmental degradation.
- b. **“Evacuation”** - an operation whereby all or part of a particular population is temporarily relocated, whether individually or in an organized manner, from an area which has been or about to be struck by disaster, to a site considered not dangerous for health or safety of the evacuees.
- c. **“Forced Evacuation”** - an order from the competent authority to forcibly evacuate residents to an appropriate evacuation center to protect their lives during onslaught of sever disaster.
- d. **“Imminent Danger”** - A condition in any place such that a danger exists which could reasonably be expected to cause death or serious physical harm, immediately upon or before the occurrence of any human-induced or natural disaster or calamity.
- e. **“Evacuation Center”** - any particular site in the Barangay previously identified by the CDRRMC or DRRMO where the populace are to be sheltered in case of forced evacuation during disasters or calamities.

SECTION 3. Guidelines in the Implementation of Force Evacuation – All Chairmen of the Barangays in the city shall observe the following guidelines in the implementation of forced evacuation within their respective territorial jurisdiction.

- a. Forced evacuation shall be implemented only as a last resort when a disaster or emergency has been declared in the city (based on the alert level of C3).



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- b. The City Disaster Risk Reduction and Management Council (CDRRMC) and the Disaster Risk Reduction and Management Office (DRRMO) shall conduct an assessment of emergency or disaster situation if there is an imminent danger in the respective areas and if necessary shall recommend and the City Mayor shall issued an Order of Forced Evacuation.
- c. Immediately after issuance by the City Mayor of the Forced Evacuation Order, the Communications and Warning Response of the DRRMO shall alert the residents of the threatened areas/barangays be informing them in a manner and language they can understand of the need for forced evacuation and the place where they will be temporarily sheltered. They shall emphasize to the resident to be affected that there is no other alternative to ensure their safety but to evacuate them to the identified evacuation center of the city since there is an imminent danger thereto.
- d. Upon issuance of the Order of Forced Evacuation, the evacuation centers that are previously identified by the CDRRMC or DRRMO, shall be activated and the Barangay Evacuation committee shall be mobilize to receive the evacuees and provide them with the needed services.
- e. The communication and Warning Response team of DRRMO shall likewise tell pick-up points or areas where vehicles are, for said evacuees to transport them in the identified evacuation center/site.
- f. Upon issuance of the order for Force Evacuation, the DRRMO shall likewise immediately activate the Disaster Risk Reduction and Management Operation Center and mobilize the team to effect a timely and orderly forced evacuation of the affected resident.
- g. Forced evacuation shall be carried out in a manner that is most humane, respect the dignity of the persons, not using disproportionate force or without discrimination.
- h. The affected residents shall be evacuated by priorities. The most vulnerable sectors such as the children, elderly persons with disabilities, pregnant women, lactating mothers and those with serious illness shall be given priority for force evacuation purposes.



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- i. Termination of Forced Evacuation Order. The Local Chief Executive of the City through the recommendation of the DRRMO shall issue an Order that the evacuees can already return to their respective homes and the evacuation center shall be closed after determination and recommendation of the DRRMO that there is no more danger or threat that exists.

SECTION 4. Enlistment of Assistance of other Government Agencies - The City Mayor or the DRRMO where forced evacuation was imposed shall coordinate with the Philippine National Police (PNP), Bureau of Fire Protection (BFP), Bureau of Jail Management and Penology (BJMP), Department of Public Highways (DPH), Armed Forces of the Philippines (AFP) and other government agencies within the affected locality for their assistance by mobilizing their personnel, vehicles and in the maintenance of peace and order to prevent civil disorder, ensure safety of disaster responders and secure properties of evacuees from any unlawful acts by persons who may take advantage of the disaster situation.

SECTION 5. Refusal of local residents to leave their homes or, after evacuating, go back therein without an order allowing them to do so - In the event that residents refuse to leave their homes, or after evacuating, go back to their home/affected areas without an order issued to this effect, the City Government as well as members of the mobilized units may use such reasonable force that is commensurate under the circumstances, evacuate them from the area, without discrimination and with conscious attention to the needs of vulnerable or marginalized sectors such as children, women, the elderly and persons with disabilities, with the end view that lives are safely secured.

Any person who willfully and deliberately disregard or opposed the order of forced evacuation issued by the City mayor shall release the latter from any liability for the former's injury or death attributed to his disobedience. During the evacuation, priority shall be given to those persons or residents who willingly comply with the order of forced evaluation.

SECTION 6. Penalty Clause - any person who violates any of the provisions of this Ordinance shall be subjected to a fine of Five Hundred Pesos (P500.00) but not exceeding five Thousand Pesos (P5,000.00) or both at the discretion of the court.

If the violator is a public official, Barangay or Non-Government Organization, the foregoing liability shall be without prejudice to the administrative sanctions as maybe imposed under existing laws, rules and regulations.

Clara R. Benis

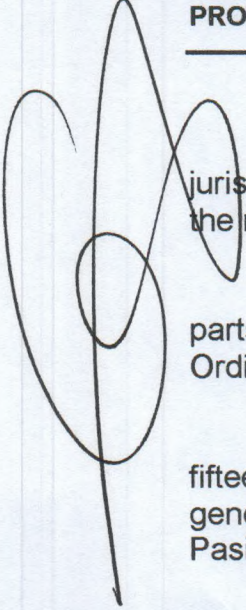


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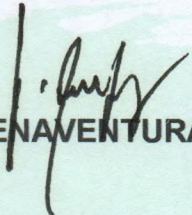


SECTION 7. Separability Clause - If for any reason, the court of competent jurisdiction shall be declare any part of this Ordinance invalid or unconstitutional, the remaining parts which are not affected shall remain in full force and effect.


SECTION 8. Repealing Clause - All ordinances, rules and regulations or parts thereof which are in conflict or inconsistent with any provision of the Ordinance, are hereby repealed or modified accordingly.

SECTION 9. Effectivity - This Ordinance shall take effect immediately after fifteen (15) days from the date of its approval and published in a newspaper or general circulation or have been posted in conspicuous places within City of Pasig.

APPROVED, this 7th day of **August 2014** at Pasig City.



REYNALDO R. SAN BUENAVENTURA III
Councilor




ORLANDO R. BENITO
Councilor

AUGUSTIN ALEXEE C. SANTIAGO
Councilor



FERDINAND A. AVIS
Councilor



CHARMIE Q. BENAVIDES
Councilor



GREGORIO F. RUPISAN JR.
Councilor



ROSALIO D. MARTIRES
Councilor



RHICHIE GERARD T. BROWN
Councilor



WILFREDO F. SITYAR
Councilor



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CELESTINO U. CHUA
LIGA President

CHRISTIAN G. SIA
Councilor
Minority Floor Leader

RICHARD C. EUSEBIO
Councilor
Majority Floor Leader
(Acting Presiding Officer)

Attested by:

IYO CHRISTIAN C. BERNARDO
City Vice-Mayor
Presiding Officer

APPROVED:

MARIA BELEN A. EUSEBIO
City Mayor

Attested by:

LOIDA U. VILLANUEVA
Acting City Council Secretary

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Diana R. Benis